
STATUTORY INSTRUMENTS

1989 No. 2406

The Education Reform (Northern Ireland) Order 1989

PART VI

INTEGRATED EDUCATION

CHAPTER III

CONTROLLED INTEGRATED SCHOOLS

Transfer of property and sta#

Transfer of property of voluntary school acquiring controlled integrated status

95.—(1) Subject to the following provisions of this Article, on the proposed date of implementation in relation to a controlled integrated school which immediately before that date was a voluntary school—

- (a) all land or other property which, immediately before that date was property held by the trustees of the school for the purposes of the school;
- (b) all rights and liabilities subsisting immediately before that date which were acquired or incurred by those trustees for those purposes;
- (c) any property, rights and liabilities of the former Board of Governors of the school,

shall be transferred to, and by virtue of this Order vest in, the [^{F1}Authority] .

(2) Paragraph (1) shall not apply to rights and liabilities under any contract of employment.

(3) Any land or other property transferred to [^{F2}the Authority] under this Article which immediately before the proposed date of implementation was held on trust shall vest in [^{F2}the Authority] as trustee on the trusts applicable immediately before that date under any trust deed regulating the use of the land or other property for the purposes of the school.

(4) The Department may by regulations make provision for the payment of compensation by the Department to the trustees of a voluntary school in respect of land or other property held by them immediately before the proposed date of implementation and transferred under this Article and such regulations may provide—

- (a) for the amount of compensation to be such as may be agreed between the Department and the trustees or, in default of agreement, such as may be determined by the Lands Tribunal;
- (b) for the amount of compensation to be reduced where grants have been paid by the Department in respect of land or other property so transferred and for the calculation of any such reduction.

(5) On the proposed date of implementation in relation to a controlled integrated school which immediately before that date was a voluntary school, the school shall cease to be a voluntary school for the purposes of the Education Orders and the trustees and former Board of Governors of the

Changes to legislation: *The Education Reform (Northern Ireland) Order 1989, Section 95 is up to date with all changes known to be in force on or before 26 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

school shall be absolutely freed and discharged from all responsibility in connection with the school whether under any deed of trust or otherwise.

(6) For the purposes of this Article any interest in a dwelling house or other residence which, immediately before the proposed date of implementation in relation to a controlled integrated school, is used or held for occupation by a person employed to work at the school shall be treated as an interest used or held for the purposes of the school.

(7) In this Article “the former Board of Governors” means, in relation to a controlled integrated school, the Board of Governors of the school immediately before the proposed date of implementation in relation to the school.

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| <p>F1 Word in art. 95(1) substituted (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12), Sch. 3 para. 11(11) (with Sch. 2 para. 4(3)); S.R. 2015/35, art. 2(b)</p> <p>F2 Words in Order substituted (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12), Sch. 3 para. 1(1)(a) (with Sch. 2 para. 4(3), Sch. 3 para. 1(2)); S.R. 2015/35, art. 2(b)</p> |
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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- [art. 13\(3\)\(b\)](#) words repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)